

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MONTANA
GREAT FALLS DIVISION**

UNITED STATES OF AMERICA,

CR-08-27-BMM-1

Plaintiff,

vs.

MAYNARD M. OLD CHIEF,

ORDER

Defendant.

United States Magistrate Judge John Johnston entered Findings and Recommendations in this matter on August 28, 2017. (Doc. 137.) Neither party filed objections. When a party makes no objections, the Court need not review *de novo* the proposed Findings and Recommendations. *Thomas v. Arn*, 474 U.S. 140, 153-52 (1986). This Court will review Judge Johnston's Findings and Recommendations, however, for clear error. *McDonnell Douglas Corp. v. Commodore Bus. Mach., Inc.*, 656 F.2d 1309, 1313 (9th Cir. 1981).

Judge Johnston conducted a revocation hearing on August 24, 2017. (Doc. 137 at 2.) Old Chief admitted that he violated the conditions of his supervised release. *Id.* at 3. The violations prove serious and warrant revocation of Old Chief's supervised release. Judge Johnston has recommended that the Court revoke

Old Chief's supervised release and commit Old Chief to the custody of the Bureau of Prisons for twelve months. *Id.* at 4. Judge Johnston further has recommended that 24 months of supervised release follow his custody period. *Id.* at 4.

The Court finds no clear error in Judge Johnston's Findings and Recommendations. Old Chief's violations of his conditions represent a serious breach of the Court's trust. A sentence custody of twelve months, followed by 24 months supervised release, represents a sufficient, but not greater than necessary sentence.

IT IS ORDERED that Judge Johnston's Findings and Recommendations (Doc. 127) is ADOPTED IN FULL.

IT IS FURTHER ORDERED that Defendant Maynard M. Old Chief be sentenced to custody for twelve months, followed by 24 months supervised release to include substance abuse treatment.

DATED this 12th day of September, 2017.



Brian Morris
United States District Court Judge